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22 T. CHRIST, STEPHEN C. SUTTON, JOSEPH D.  
23 GREENWELL, MARGO BENNETT, ALEX  
24 YAO, LEROY HARRIS, MARC DECOULODE,  
25 AND JOEY WILLIAMS

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

18  
19 JOHN JENNINGS, et al.,

Case No. 18-CV-00268-CW

20 Plaintiff,

**CORRECTED STIPULATION AND  
[PROPOSED] ORDER CONTINUING  
INITIAL CASE MANAGEMENT  
CONFERENCE**

21 vs.

22 REGENTS OF THE UNIVERSITY OF  
23 CALIFORNIA, et al.,

Judge: Hon. Claudia Wilken

24 Defendants.

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## **STIPULATION**

In support of this Stipulation, the Parties state as follows:

WHEREAS, an Initial Case Management is set for November 6, 2018;

WHEREAS, pursuant to the Parties' February 12, 2018 Stipulation, Defendants

5 Napolitano, Dirks, Christ, Sutton, Greenwell, Bennett, Yao, Harris, DeCoulode, and Williams (the  
6 “UC Defendants”) moved to dismiss Plaintiffs’ First Amended Complaint on March 26, 2018,  
7 which the Court has taken under advisement;

8 WHEREAS, the UC Defendants contend that Plaintiffs' FAC must be dismissed pursuant  
9 to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and the Parties agree that it would be  
10 inefficient and premature to proceed with the initial Case Management Conference or the  
11 associated Rule 26(f) joint report in light of the pending motion to dismiss;

WHEREAS, the Court has previously continued the Initial Case Management Conference by stipulation from June 26, 2018 to September 4, 2018, and again from September 4, 2018 to November 6, 2018 on the same basis.

15 NOW THEREFORE, Plaintiffs and Defendants through their counsel of record stipulate  
16 and respectfully request that the Court order the following:

1. The Initial Case Management Conference set for November 6, 2018 should be CONTINUED to December 18, 2018;
  2. All other dates tied to the Initial Case Management Conference should be continued accordingly

21 | DATED: October 11, 2018

By: /s/ William J. Becker, Jr.  
WILLIAM J. BECKER, JR.  
Attorney for Plaintiffs

1 DATED: October 11, 2018  
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4 By: /s/ Bryan H. Heckenlively  
5 BRYAN H. HECKENLIVELY  
6 Attorney for UC Defendants  
7

8 DATED: October 11, 2018  
9

10 By: /s/ John Hamasaki  
11 JOHN HAMASAKI  
12 Attorneys for Defendant Miller  
13

14 DATED: October 11, 2018  
15

16 By: /s/ Rachel Lederman  
17 RACHEL LEDERMAN  
18 Attorneys for Defendant Mirabdal  
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1                   **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

2                   I, Bryan H. Heckenlively, am the ECF User whose ID and password are being used to file  
3 this document. I hereby attest that concurrence in the filing of this document has been obtained  
4 from the signatories.

5  
6  
7 DATED: October 11, 2018

*/s/ Bryan H. Heckenlively*  
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BRYAN H. HECKENLIVELY

## [PROPOSED] ORDER

2 The Court hereby CONTINUES the Initial Case Management Conference currently set for  
3 November 6, 2018 at 2:30 p.m. to December 18, 2018 at 2:30 p.m. A joint Case Management  
4 Statement is due December 11, 2018. The parties shall meet and confer regarding Rule 26 initial  
5 disclosures, early settlement, ADR process selection, and discovery plan no later than November  
6 27, 2018.

IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2018

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Honorable Claudia Wilken  
United States District Judge